

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : DONOVAN, Kevin
Serial No. : 09/385,802
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For : UNIVERSAL INSTANT MESSAGING SYSTEM
FOR THE INTERNET
Group Art Unit : 2152
Examiner : CHANKONG, Dohm

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 2231301459

**SUPPLEMENTAL DECLARATION OF
PRIOR INVENTION IN THE UNITED STATES
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. 1.131)**

Sir:

1. The person making this declaration is the inventor named in the above-identified patent application, and my interest in the patent application is also set forth in that declaration.
2. This declaration is to supplement my prior Declaration to establish completion of invention in this application in the United States at a date prior to May 5, 1999.
3. Attached is a log of an actual chat session carried out with the capability incorporated in the commercial release of the embodiment that is the subject of the *Business Wire* article dated May 5, 1999, titled "Prodigy Unveils Next Generation of Instant Messaging", as referenced in my prior Declaration.
4. As per the log, this actual chat session was carried out between a first user and a second user over the Internet, the first user associated with a first realm (Prodigy) and a second user associated with a second realm (IRC), and each of the realms having respective protocol characteristics, and each of the users having a respective current IP address. As can be seen in the log, the actual chat session occurred on a date prior to May 5, 1999.
5. I wrote the programming and operated the embodiment that is the subject of the *Business Wire* article dated May 5, 1999, titled "Prodigy Unveils Next Generation of Instant Messaging" on a date prior to May 5, 1999, such that this actual chat session

occurred by establishing connections between the first user and the second user using the determined current IP address and protocol characteristics of the users, so as to produce the actual chat session documented in the log.

6. Attached is a screen shot of a screen available in the commercial release of the embodiment that is the subject of the Business Wire article dated May 5, 1999, titled "Prodigy Unveils Next Generation of Instant Messaging".

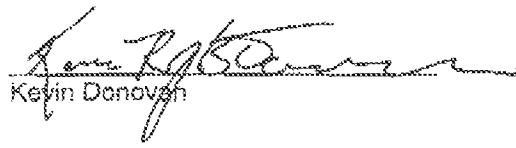
7. As per the claims, users used this screen to carry out (claim 16) encrypting an instant message sent between the devices during the instant messaging session, (claim 108) encrypting communications sent between the devices in the instant messaging session, (claim 112) encrypting an instant message communication between a the first user device and the second user device during the instant messaging session, (claim 113) encrypting an instant message communication between a the first user device and the second user device during an instant message session, and (claim 118) encrypting the instant message communications between a the first user device and the second user device, and also communicate (claim 114) an encrypted instant message between the first user device in the first realm and second user device, and indeed I was among these users in the United States at a date prior to May 5, 1999, by using this screen.

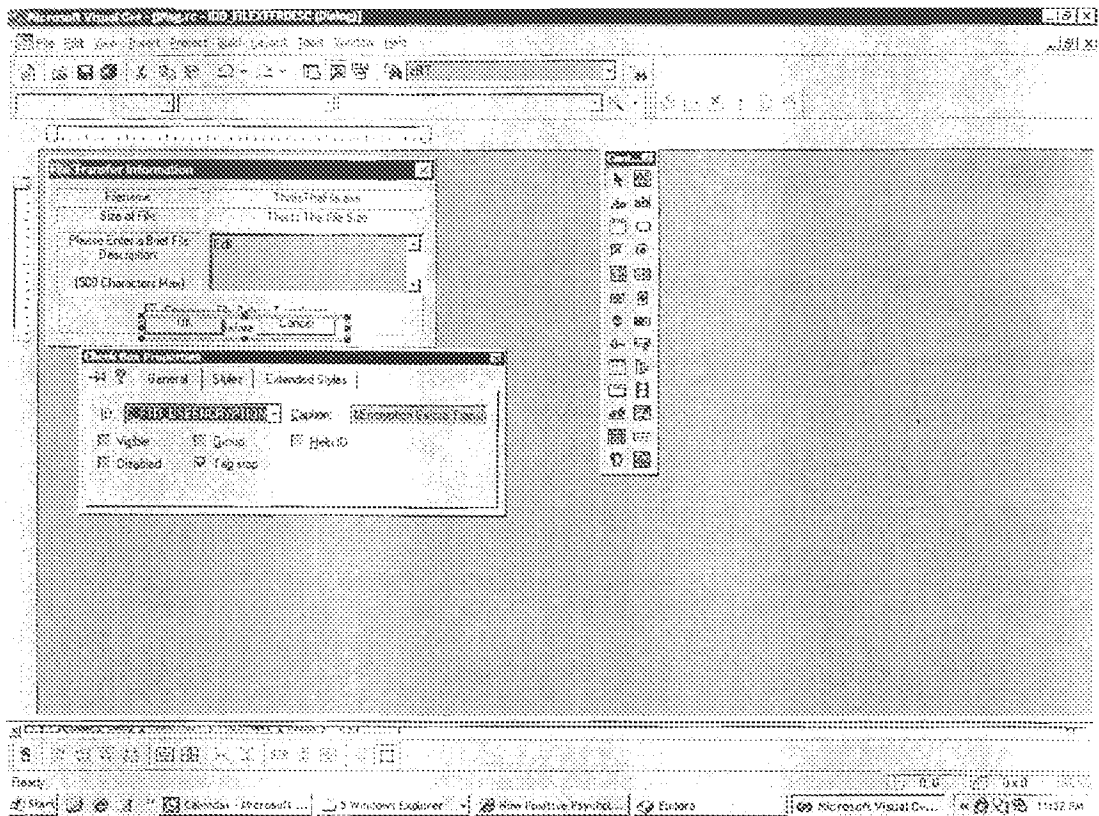
8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date:

5/28/2009


Kevin Donovan



Logging On [Wednesday, February 04, 1998] EdLeader: Welcome to the scheduled
 Wednesday evening Chat for parents EdLeader: Tonight's Theme is Great (and Safe)
 Sites for Kids Learning EdLeader: 9:00pm to 10:00 pm EST : marcos1 has entered
 the room. EdLeader: Hi Marcos marcos1: hi EdLeader: Welcome to the scheduled
 Wednesday evening Chat for parents EdLeader: Tonight's Theme is Great (and Safe)
 Sites for Kids Learning marcos1: thank you. what is the subject marcos1: i get
 it safe marcos1: what about safety EdLeader: Sure -- what aspect? marcos1: what
 age : marcos1 has left the room. : dave99 has entered the room. EdLeader: Hi
 dave dave99: hi EdLeader: Welcome to the scheduled Wednesday evening Chat for
 parents EdLeader: Tonight's Theme is Great (and Safe) Sites for Kids Learning :
 dave99 has left the room. : pc~dj201 has entered the room. : MOMOF3LILL1 has
 entered the room. EdLeader: Welcome to the scheduled Wednesday evening Chat for
 parents EdLeader: Tonight's Theme is Great (and Safe) Sites for Kids Learning :
 pc~dj201 has left the room. MOMOF3LILL1: hello EdLeader: What would you like to
 discuss? MOMOF3LILL1: well it really doesn't go with your theme EdLeader: That's
 Ok -- nobody here but us at the moment. MOMOF3LILL1: i have a six year old who
 is having trouble in school EdLeader: What kinds of trouble? MOMOF3LILL1: the
 first quarter he had all a's and b's and now they are d's and one a MOMOF3LILL1:
 he does great in math but when it come to writing and reading he doesn't want to
 try MOMOF3LILL1: got any advice MOMOF3LILL1: i know he can do it because his
 first quater grades proved that EdLeader: Where is he in reading ability now?
 MOMOF3LILL1: little above beginner MOMOF3LILL1: he'll read things that he is
 intrested in but not anything that deals with school work EdLeader: Doesn't
 sound bad for a six -- is he getting along well with the teacher? MOMOF3LILL1:
 the teacher thinks he is to bored with what she is teaching him. gets along
 great with teacher MOMOF3LILL1: i try to practice with him all the time , gets
 worse when we try to sound out spelling words or reading simple sentece : iteach
 has entered the room. EdLeader: Hi iteach -- we are discussing a 6 year old who
 seems to have lost interest in reading... MOMOF3LILL1: it's is hard to watch him
 act like this because i know he can do it iteach: What kind of reading interests
 did the 6 year old have before? MOMOF3LILL1: and in writing he doesn't write as
 well as before iteach: What does he like to do now? MOMOF3LILL1: he like to read
 books about animals trucks and little boy things but in the last quater he
 doesn't like anything : estein has entered the room. MOMOF3LILL1: he just
 refuses to read or write iteach: What level was he reading at before he lost
 in;terest. Could he read alone or did he need help EdLeader: Hi - this is the
 room! estein: i think i'm here! iteach: What do you think may have made him
 loose interest? EdLeader: We are currently discussing a six-year old who has
 suddenly lost interest in reading (adn writing) MOMOF3LILL1: i just don't know
 what to do to get him back on the right track? estein: Great, now what do we do?
 I can't find the window to log this chat MOMOF3LILL1: he is at above begginer
 level iteach: Hi estein! Glad you could log on! You get an A+!!! EdLeader: Click
 on File, then "start logging" estein: "File" is not one of my options.
 MOMOF3LILL1: i guess there isn't much help hopefully he'll grow out of this
 EdLeader: You on a mac? : iteach has left the room. (Leaving) estein: I see
 "Sign in, edit rooms, etc, etc. I'm on a pc : pc~bgspecial has entered the room.
 : pc~smurf_cl has entered the room. : pc~smurf_cl has left the room. EdLeader:
 Hi bgspecial...Welcome to the scheduled Wednesday evening Chat for parents :
 iteach has entered the room. pc~bgspecial: Hello, this is my first time in this
 room EdLeader: estein... hmmm... there is irc chat and prodigy chat... what does
 it say on the top of your screen. EdLeader: bgspecial - Tonight's Theme is Great
 (and Safe) Sites for Kids Learning MOMOF3LILL1: well thanks anyway i'll go head
 and go then pc~bgspecial: Did anyone read Wm. Raspberry's article yesterday
 about 'direct teaching'? iteach: I just got thrown off and ended up in na-na
 land. this is a very strange service tonight, must be el Nino EdLeader: No - was
 it in the NY Times? : MOMOF3LILL1 has left the room. iteach: No in the Wash.
 post? iteach: What did it say? pc~bgspecial: No, syndicated in St. Petersburg

Times (Fl) : estein has left the room. (Socket Error) iteach: Also in the W. Post but I missed it. what was it about? iteach: What's an example of direct teaching? pc~bgspecial: Failure of whole language method. Direct instruction=teach from scripts. Rely on individual creativity only in extreme cases. Teachers teaching directly not as facilitators; facts and basic skill iteach: Is this part of the reaction to the failure of whole language movement in California or just general failure of the whole language meovment? pc~bgspecial: One example cited; their (students) knowledge of the body system is on par with college material. Houston and Fl have about 30 such schools. pc~bgspecial: Whole language according to him is fine for some but not for beginning readers. iteach: Is this consistent with interests in a constructivist approach advocated by many early childhood groups? pc~bgspecial: That I do not know...or understand, sorry. iteach: What does this do the phonics advocates or is phonics the main focus of the direct tieaching method. : estein has entered the room. estein: Well, I'll try again pc~bgspecial: WR credited Doug Carmine a Univ of Oregon prof who head Nat'l Center to Improve the Tools of Educators (NCITE) iteach: That's the spirit. Another A+ for you!! iteach: Hey, Ed leader, look who'se being cited here,,,our old friend Doug Carmine! pc~bgspecial: I don't think phonics could ever be totally discounted EdLeader: Hi welcome back... estein - if you go to the prodigy home page and click on Essential Tools and then Chat, you can download the "Prodigy Chat" which has more function. pc~bgspecial: What did I miss? EdLeader: iteach and I did some projects with Doug Carnine about 10 yrs ago! iteach: pc~, some of our chat friends got thrown off for a bit but back now pc~bgspecial: Small world! pc~bgspecial: I am really new to this "chat" world - what does pi~ mean? estein: Dave, are you still there? I hate to interrupt this chat but I don't know where I am...it's a terrible feeling! iteach: So Doug is still going strong! Great. In fact, I'll catch up with him after this chat! EdLeader, wouldn't Doug make an excellent coach for the class that's using the chat as a coaching tool? iteach: estein, just hang-in-there. I'm so pleased you got through and made it here. EdLeader: This chat room is available to both Prodigy Classic and Prodigy Internet members. When a Prodigy Classic person sees a note from someone on Prodigy Internet, the name is preceded by pi^... the prodigy internet person sees a pc^ before your name. estein: When I try to go to File , which I found under this window, I loose this window EdLeader: We use this room for the scheduled chats so that everyone can participate. iteach: pc~ in case we've totally lost you, several of the chat members tonight are part of an innovative graduate course that is using online chat as part of a mentoring/coaching tool. pc~bgspecial: What is your schedule? iteach: schedule? pc~bgspecial: Re: we use this room for the scheduled chats... EdLeader: Monday (educators), Wednesday (parents), and Thursday (lifelong learning) at 9pm Eastern estein: Dave, I'm still watching iteach: pc~ would you like to set up a chat to focus on reading? pc~bgspecial: Does anyone know of a book discussion group? estein: Yes, once I learn not to be a bother! iteach: also pc~ what area of education are you in? EdLeader: estein - I'm not sure what is happening... when I click on File I get a pulldown window that starts with "start logging..." iteach: pc~ are you a teacher? EdLeader: But I know that I am also running with the "Prodigy Chat" download pc~bgspecial: I hope this is not 'illegal' but I am not a teacher. I do homeschool my 11 yr old son - but not for any ideological reasons - he suffers from severe anxiety and panic - we cannot get him into school EdLeader: iteach - you are speaking with bgspecial (he / she can't see the pc^) estein: EdLeader, when I click on File1 (which is below the words Prodigy Internet chat, I loose this writing window! iteach: Edleader I don't understand? iteach: pc~, about anxiety problems, my daughter had to finish her senior year of high school at home for the same reasons. EdLeader: I am going to try this on another computer that is set up like yours and I will send you an email tomorrow iteach: are you talking to estein? pc~bgspecial: REALLY! We have not been able to receive help let alone

understanding about this complex, sorrowful condition. Is she better now?

EdLeader: iteach -- this room is available to both prodigy internet and prodigy classic members. When someone comes in from prodigy classic, the system puts pc^ahead of their name. estein: EdLeader, sorry for interrupting this chat. I'll see what I can learn after I get out of everyone's way! iteach: Yes, she is in her first year of college and is doing great -- but last year was rough.

pc~bgspecial: I have prodigy internet also, should I switch over? EdLeader: We're used to keeping several threads going here - but we can switch to instant message also - lets try. estein: Oh dear, what's that?! iteach: She started having anxiety attacks when she was a sophomore in high school..I think estein may be ready for an attack if this keeps up. pc~bgspecial: We decided to give unconditional love and support for a condition that we didn't understand rather than force him to go as urged by those in power - what did you do? estein: I think you're right!!!! iteach: Anyway pc~, we tried biofeedback, meditation, medication, and everything we could think of but it just took time and support and not forcing her. pc~bgspecial: How did you get her into college??? I think I will have an adult child with me foreverrrrrrrr estein: EdLeader, this is ellen, EdLeader: Hi -- type in the instant message box pc~bgspecial: I am leary of medication that hasn't been tested on children only adults, so we have not gone that route yet iteach: She decided the peer pressure was too great to stay home while friends went to college. We found a small college with a great LD/ADD/ADHD program that was just right for this year. EdLeader: Ellen (are you receiving my instant messages?? estein: All i see is this box that says "say" EdLeader: That box is for prestored phrases - there should be a box above it that you can type into... estein: I don't see instant messageas like I did on AOL. No beels, whistles, nothing : pc~Str8edgeCrew has entered the room. pc~Str8edgeCrew: hello : pc~Str8edgeCrew has left the room. estein: EdLeader- I'll email you, goodbye iteach: Have you found any support groups for yourself to help you deal with the frustrations that come with this? EdLeader: OK... : estein has left the room. (Leaving) iteach: bye estein, thanks for all your effort pc~bgspecial: Actually I believe that at the core of my son's problem is a feeling of self-consciousness expotentially magnified to the point where he cannot concentrate of anything/one but himself and faults pc~bgspecial: Have not found any groups - we have been led to believe that it is a rare case pc~bgspecial: Much has been written about adults but little about children iteach: A lot has been written under "school phobia" and other titles that relate to obsessive-compulsive disorders. : dave99 has entered the room. iteach: This must be so painful for your son and for you too. pc~bgspecial: school phobia is approached through behavior modification and desensitising which worked in fourth grade but not this year for sixth. Do you know of any support groups? pc~bgspecial: The pain for me is watching him not be able to participate in i.e. school activities iteach: No but I would think one of the national associations or foundations might have more information, support etc to help you pc~bgspecial: Homeschooling is somewhat strange for us because we are not doing it for the same reasons the majority of schoolers are - religion, shots, ... pc~bgspecial: Do you teach? EdLeader: bgspecail - i need to go now... but here is a site that has some wonderful resources for parents and teachers... including a special section for homeschooling parents... EdLeader: <http://www.ala.org/parentspage/greatsites/parent.html> iteach: Does your son enjoy playing with friends outside the "school" environment? EdLeader: It is produced by the American Library Association... they reviewd over 50,000 web sites to find 700 they cite as being "great sites for kids"... EdLeader: G'night all.